



NEWS RELEASE

OFFICE OF THE UNITED STATES ATTORNEY
WESTERN DISTRICT OF MISSOURI

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FOR IMMEDIATE RELEASE

CITY PLEADS GUILTY TO DUMPING RAW SEWAGE INTO LAKE OF THE OZARKS

LAKE OZARK WILL PAY \$50,000 FINE

KANSAS CITY, Mo. – John F. Wood, United States Attorney for the Western District of Missouri, announced that the city of Lake Ozark, Mo., pleaded guilty in federal court today to illegally discharging sewage into the Lake of the Ozarks.

“The city of Lake Ozark created a serious public health hazard by repeatedly discharging raw sewage directly into the Lake of the Ozarks,” Wood said. “Today’s plea agreement holds the city accountable for those violations and commits Lake Ozark to upgrade and maintain its wastewater treatment system. These actions will help keep one of our state’s most popular natural resources safe for the public to enjoy.”

Lake Ozark Mayor Johnnie Franzeskas signed today’s plea agreement in which the city admitted to repeatedly discharging raw, untreated sewage into the Lake of the Ozarks. Under the terms of the plea agreement, the city will pay a fine of \$50,000. The city also agreed to upgrade and maintain its wastewater treatment system and to report any and all bypasses from its treatment system and lift stations as required by the state.

In a separate but related case, Richard L. Sturgeon, 52, of Eldon, Mo., the city’s former public works director, pleaded guilty on July 31, 2008, to failing to report the discharge of raw sewage into the Lake of the Ozarks.

The city of Lake Ozark has a history of overflows or bypass events from its lift stations into the Lake of the Ozarks. Today’s plea agreement cites numerous examples from among hundreds of bypasses shown on police reports, daily logs and citizen complaint forms.

In the most recent incident, Missouri Department of Natural Resources staff observed that a lift station was experiencing a bypass on Sept. 11, 2007, resulting in a discharge of 10,000 to 15,000 gallons of raw sewage into the Lake of the Ozarks. DNR staff noted that the sewage caused a dark plume in the water at the lake. A sample analysis of water collected from the Lake of the Ozarks showed extremely elevated levels for ammonia nitrogen and fecal coliform exceeding the criteria for whole body contact

recreation.

The computerized lift station maintenance log indicates that the pumps were down during August and September 2007.

DNR notified the city of the bypass, and the city responded and stopped the flow, but conducted no clean up and provided no written notification of the bypass. On Sept. 13, 2007, DNR staff visited the site, and no clean up had been started. DNR contacted Sturgeon and requested a clean up of the area. The bypass was never reported to DNR as required by the city's permit.

This case is being prosecuted by Assistant U.S. Attorney Lawrence E. Miller. It was investigated by the EPA's Criminal Investigation Division and the Missouri Department of Natural Resources.

This news release, as well as additional information about the office of the United States Attorney for the Western District of Missouri, is available on-line at

www.usdoj.gov/usao/mow/index.html